

Notic of Allowability

Application No.

09/781,236

Examiner

Hai V. Nguyen

Applicant(s)

COBURN ET AL.

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nce address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at th initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09 September 2004.
2. ☒ The allowed claim(s) is/are 1-53.
3. ☒ The drawings filed on 04 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachm nt(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons For Allowance

1. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of the claims is the inclusion of "*under the control of bootloader software, automatically downloading extension software into said common platform; executing the downloaded extension software; under the control of the downloaded extension software, determining the type of said equipment sensor; responsive to a result of the determining step, downloading application software corresponding to the type of equipment sensor into said memory, wherein the application software is used for configuring the common platform for use with the equipment sensor; and executing said application software.*" in all of the independent claims. Razavi et al U.S patent no. 6,362,730, Anderson et al. U.S patent # 6,578,142, Larson et al. U.S. patent no. 6,556,904 B1, Dodson U.S. patent no. 6,513,159 B1, Larson et al. U.S. patent no. 6,370,455 B1, Leyda U.S. patent no. 5,867,730, do not have these limitations.

As a matter of facts, Razavi only discloses, "*Devices may easily be connected or disconnected to upgrade or reconfigure the vehicle's systems, and software and services can easily be provided to the various devices through the network. The network can enable the interaction of various network devices to increase the capabilities or utility of devices*" (see Abstract).

Anderson only discloses, "*booting up an operating system and executing the first application; determining if a suitable connection exists, determining if a needed bandwidth of the suitable connection is available, and downloading a second application*

Art Unit: 2142

if the suitable connection exists and the needed bandwidth of the suitable connection is available.” (col. 1, lines 55-67).

Larson '904 only discloses, *“A wheel alignment system that includes at least one sensing device for acquiring automobile data, interface circuitry in communication with the sensing device for generating data representative of automobile data acquired by the sensing device, and a host computer in communication with the interface circuitry for performing a sequence of operations on data generated by the interface circuitry.” (col. 4, lines 36-45).*

Waldi only discloses, *“The system evaluator evaluates the hardware configuration of the computer. The driver evaluator determines the drivers installed on the computer. The installation program assembles a stack from the hardware configuration, and compares the stack with a valid package matrix. If a match is found, the installation program then compares the drivers in the matched stack with the drivers installed on the computer to determine which drivers need to be installed and which drivers need to be updated.” (see Abstract).*

Larson '455 only discloses, *“the remote diagnosis, repair, and updating of software applications on vehicle wheel alignment systems from a remote computer system via communication link.” (col. 4, line 56 – col. 4, line 11).*

Leyda only discloses, *“the automatic identification and configuration of a peripheral device, like CD-ROM drive. An initialization program executes a query instruction, which includes an identification request to the peripheral device. A response from the peripheral device includes identification data for the peripheral device. The response,*

Art Unit: 2142

including the identification data, is interpreted to permit the selection of one of the plurality of driver files corresponding to the identified peripheral device type. A driver loader then loads the selected driver file.” (col. 1, line 55 – col. 2, line 4).

2. The Examiner's interpretation of the claim language is based upon Applicant's the arguments received on 09 September 2004 (pages 21-29) and the enabling portions of the specification, (Fig. 3, Abstract, pages 11-13). Therefore, Applicant's instant claims are considered to be allowable.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. **Claims 1-53** are allowed.

Art Unit: 2142

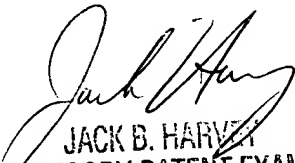
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 571-272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hai V. Nguyen
Examiner
Art Unit 2142



JACK B. HARVEY
SUPERVISORY PATENT EXAMINER